

MULTIMEDIA



UNIVERSITY

STUDENT IDENTIFICATION NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2015/2016

BIR2084– INDUSTRIAL RELATIONS

(All sections / Groups)

12 OCTOBER 2015

(2.30p.m – 4.30p.m)

(2 Hours)

INSTRUCTION TO STUDENT

1. This Question paper consists of **TWO** (2) pages with **FIVE** (5) Questions only.
2. Attempt **FOUR** (4) out of **FIVE** (5) questions. All questions carry equal marks and the distribution of the marks for each question is given.
3. Please write all your answers in the Answer Booklet provided.

QUESTION 1

The powers of the Industrial Court are restricted by the limits imposed by the Act of Parliament and it has to act according to the provisions of the Industrial Relations Act 1967.

i. Explain the remedy offered by the industrial court to employees who are found to be dismissed without just cause or excuse.

(15 marks)

ii. Describe the types of cases the industrial court has the jurisdiction to hear.

(10 marks)

(Total: 25 Marks)

QUESTION 2

Define collective agreement. For the industrial court to take cognizance of the agreement; the collective agreement must fulfil certain conditions. What are these conditions for a collective agreement to be given cognizance by the industrial court?

(Total: 25 Marks)

QUESTION 3

Federal Bank Employees Union has decided to demonstrate a picketing. The union has been registered and recognized by the employers. You are the legal advisor to the union. How would you advise the union on the following?

i. Explain how a picketing can be legal under Section 20 of the Industrial Relations act 1967 and under what circumstances Section 40 of the Industrial Relations Act 1967 prohibits picketing.

(18 marks)

ii. Concept of picketing.

(7 marks)

(Total: 25 marks)

Continued...

QUESTION 4

Workers in Malaysia have the right to form and join trade unions. The right is protected in the Industrial Relations Act 1967 under Section 5. Describe what the Act says regarding the right to form and join a trade union.

(Total: 25 marks)

QUESTION 5

Write short notes on:

- i. Conditions and prerequisites for constructive dismissal

(8 marks)

- ii. Arbitration

(7 marks)

- iii. Role of government in the industrial relations system

(10 marks)

(Total: 25 marks)

End of Question Paper

